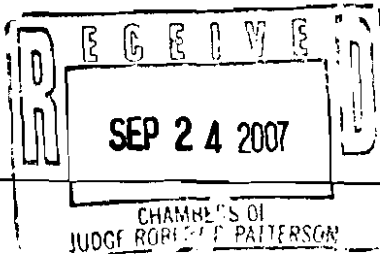


**LAW OFFICES OF  
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September 24, 2007

Honorable Judge Robert P. Patterson, Jr.  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 2550  
New York, NY 10007

USDC SDNY  
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Re: Subbarow Fabrics v. J.R.R. Rosenthal Group, Inc. et al.  
Docket: 07-CV-2810-RPP

## MEMO ENDORSED

Dear Judge Patterson:

With reference to the captioned action, please note that Plaintiff Subbarow Fabrics and Defendants J.R.R. Rosenthal Group and Tailor New York have failed to reach a suitable settlement. Despite Plaintiff's best efforts, aforementioned Defendants have repeatedly failed to show up for scheduled settlement meetings and respond to settlement offers. Therefore, Plaintiff acknowledges the futility of attempting any further settlement talks with said Defendants. Kindly accept this letter as Plaintiff's notice to file a default judgment against Defendants J.R.R. Rosenthal Group and Tailor New York.

Should you have any questions or comments, please do not hesitate to contact the undersigned at your convenience.

Best Regards,

*Saif M. Agha*  
Saif M. Agha, Esq.  
SMA/ab

*application granted.  
Plaintiff may move for  
default judgment upon notice  
to Defendants.  
So ordered.  
Robert P. Patterson, U.S.D.J.  
9/24/07*